IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 18363 of 2004

Between:

Mogili Sreenivas, S/o. Mogili Narsaiah,
'F' 508, New Bombay Colony, Kothagudem Thermal Power Station,
Paloncha, Khammam District.

..... PETITIONER

AND

1 Superintendent Engineer (C&M), Kothagudem Thermal

Power Station, Old Plant, Paloncha, Khammam District.
2 The Chief Engineer, Kothagudem Thermal Power Station,
Paloncha, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any appropriate Writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the representation dt. 18-8-2004 for appointment to the post of LDC for Computer Operator against the backlog vacancies pursuant to G.O.Ms.No.191 GA (Ser-A) Department, dt. 21-7-2004 and Memo.No. GM(A)/DS(P)/AS(P)/PO-A/A1/149/1999 dt. 19-8-2004 issued by A.P. Power Generation Corporation Limited Hyderabad is as arbitrary illegal and violative of Article 14, 16(4) and 21 of the Constitution of India, consequently direct the respondents to consider the representation dt. 18-8-2004 for appointment to the post of LDC or Computer Operator against the backlog vacancies.

Counsel for the Petitioner: MR.G.CHANDRAIAH

Counsel for the Respondent Nos.1 & 2: SMT.K.SESHARAJYAM

The Court made the following :

ORDER:

The petitioner is an un-employee and he seeks a direction to the respondents to notify the backlog vacancies reserved for SCs. and STs. for the posts of LDC and Computer Operators. There is no pre-existing right to the petitioner for employment and such right is not guaranteed as a fundamental right under the Constitution of India. The petitioner did not bring any specific instance of violation of any existing rules, regarding the filling up of the backlog vacancies of SCs. and STs. The recruitment will be made by the authorities concerned, depending upon the necessity and exigencies of the respective departments. There cannot be any direction to such authorities to fill up the vacancies unmindful of the exigencies. Since the petitioner has no specific right to seek the relief, the writ petition cannot be maintained. Hence the writ petition is dismissed.

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8-10-2004

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To

1 Superintendent Engineer (C&M), Kothagudem Thermal

Power Station, Old Plant, Paloncha, Khammam District.
2 The Chief Engineer, Kothagudem Thermal Power Station,
Paloncha, Khammam District.

3 Two CD copies.